

VZCZCXRO0956
PP RUEHROV
DE RUEHNR #0279 0250926
ZNR UUUUU ZZH
P 250926Z JAN 08
FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC PRIORITY 4430
INFO RUCNIAD/IGAD COLLECTIVE
RUEHLO/AMEMBASSY LONDON 2609
RUEHFR/AMEMBASSY PARIS 2543
RUCPDOC/DEPT OF COMMERCE WASHDC
RUEATRS/DEPT OF TREASURY WASHDC
RHEHNSC/NSC WASHDC
RUCQSOC/USCINCSOC MACDILL AFB FL
RHMFIUU/CDR USCENTCOM MACDILL AFB FL
RHMFIUU/CJTF HOA

UNCLAS NAIROBI 000279

SIPDIS

SIPDIS

LONDON AND PARIS FOR AFRICA WATCHERS

E.O. 12958: N/A

TAGS: PREL PGOV PHUM KDEM KE

SUBJECT: KENYA'S ELECTORAL CRISIS: MINISTER OF INTERNAL SECURITY'S RESPONSE TO AMBASSADOR'S LETTER ON POLICE VIOLENCE

REF: A. NAIROBI 00190

¶ B. 01/25/2008 EMAIL:BEAN TO AF-E-EA-DL (AVAILABLE FROM KENYA DESK)

¶ 11. On January 24 we received Minister of Internal Security George Saitoti's response to the Ambassador's letter of January 17 (reftel) requesting; 1) a precise statement of the Rules of Engagement currently in effect for Kenyan security forces in dealing with unarmed peaceful demonstrators; 2) a precise statement of the rules of engagement currently in effect for Kenyan security forces in dealing with ethnic violence; 3) a full, impartial investigation of the events in Kisumu depicted in the January 16 video and communication of the results of the investigation. Full text of the letter is available (ref b).

Police Rules of Engagement for Demonstrations

¶ 12. Citing the Public Order Act, Minister Saitoti stated that police are allowed to disperse demonstrators, "using the necessary force, including use of tear gas or batons." He wrote that when there is a threat to life and property police may use "all necessary force, including firearms." He stated that the security forces have been ordered to exercise utmost restraint in dealing with the post-election violence. He characterized the police as having exercised a great deal of restraint in dealing with the demonstrations.

Police Rules of Engagement in dealing with Ethnic Violence

¶ 13. Minister Saitoti was not responsive in providing police rules of engagement in dealing with ethnic violence. He characterized the violence as being well-organized and well-coordinated with Kikuyu, Kamba, Kisii, and Luhya communities being targeted for their support of President Kibaki's Party of National Unity. He stated that investigations are underway. He stated that police are using Inter-Community Peace Communities to open dialogue in communities affected by ethnic tensions.

Full and Impartial Investigations of the Events in Kisumu

¶ 14. Minister Saitoti stated that a team of senior

investigators have been sent to Kisumu to investigate the events depicted in the video shown on KTN news on January 16.

¶5. Comment; A very by-the-book response from the Minister, who is noted for being a hard- liner. RSO sources have confirmed that the policeman who shot and killed the two unarmed, non-threatening demonstrators has been suspended pending the outcome of the investigation.

RANNEBERGER